IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.30246-M of 2007

DATE OF DECISION:15.11.2007

Bholo .....Petitioner

Versus

State of Punjab & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SURYA KANT

Present:- Shri B.S. Kathuria, Advocate
for the petitioner.

Shri Rajesh Bhardwaj, DAG, Punjab.

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SURYA KANT, J. (ORAL)

The petitioner seeks transfer of her convict-husband from Central Jail, Ludhiana to the Central Jail at Jalandhar. Her husband(Sodhi Ram) is a convict under the NDPS Act. The transfer of the convict from Ludhiana has been sought on the ground that the parents of the convict are blind and the petitioner, namely, wife of the convict being the sole bread-winner of the family, which includes three minor children, she is facing immense hardship in visiting Jalandhar to meet her husband.

Notice of motion was issued and in response thereto the respondents have filed their reply, wherein, it is averred that the convict Sodhi Ram was transferred from Central Jail, Jalandhar to Central Jail, Ludhiana vide order dated 1.3.2007 *"due to over crowding at Central Jail, Jalandhar*". It has been stated that for the aforesaid reason 163 prisoners which include 68 convicts were transferred from Jalandhar to Ludhiana.

In view of the above-stated plea taken by the respondents, no

interference by this Court at this stage is called for. However, as and when the authorities find that a few more prisoners can be accommodated at Jalandhar, the claim of the petitioner's husband for his transfer from Ludhiana to Jalandhar shall be considered on priority basis, keeping in view the mitigating circumstances, noticed above.

Disposed of.

November 15, 2007 **(SURYA KANT)**
pooja **JUDGE**